

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

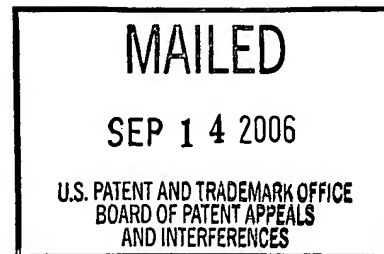
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Ex parte: ROBERT E. SMITH, III

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Application No. 10/679,908

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences on September 2, 2006 . A review of the application has revealed that the application is not ready for review and consideration. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

INFORMATION DISCLOSURE STATEMENT

Appellant filed an Information Disclosure Statement (IDS) dated April 7, 2005. There is no indication on the record that the above Information Disclosure Statements was considered by the examiner. A written communication notifying appellant of the Examiner's consideration is required.

CONCLUSION

Accordingly, it is

**ORDERED** that the application is returned to the examiner for:

- 1) consideration and proper written response to the Information Disclosure Statement and April 7, 2005, is required; and
- 2) to notify appellants of such consideration;

BOARD OF PATENT APPEALS  
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'Dale M. Shaw', is written over a horizontal line.

DALE M. SHAW  
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DMS/dpv

Application No. 10/679,908

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